

***DETAILED ACTION***

***EXAMINER'S AMENDMENT***

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.
2. Authorization for this examiner's amendment was given in a telephone interview with Mr. Garth Dahlen on 06/15/10.
3. It is noted that claims 1-3 previously withdrawn from consideration under 37 CFR 1.142 have been rejoined.
4. Additionally, the application has been amended as follows:
5. In claim 1, at line 1 and line 3, replace "a porous film" with "the porous film" at each instance.
6. In claim 2, at line 1 and line 4, replace "a porous film" with "the porous film" at each instance.
7. In claim 2, at line 3, add "cast" between "a" and "film".
8. In claim 2, at line 5, replace "a polymer component" with "the polymer component".

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9. In claim 3, at line 1, replace "a porous film" with "the porous film".
10. In claim 4, third line from the bottom, replace "a porous film" with "the porous film".
11. In claim 5, third line from the bottom, replace "a porous film" with "the porous film".

***REASONS FOR ALLOWANCE***

12. Prior to setting forth the reasons for allowance, it is noted that a request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed on 05/27/10 after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 05/27/10 has been entered.

13. The following is an examiner's statement of reasons for allowance:

14. The closest prior art to independent product claims 4 and 5 is Patel et al. (US 2001/0023014A1). Patel discloses a microporous film that has pores and voids that normally connect with each other (a large number of continuous micropores) (see abstract and 0002).

15. Patel does not teach or suggest a maximum surface pore size of 15  $\mu\text{m}$  or less (claims 4 and 5) or average inside porosity of 45% to 80% (claims 4 and 5). Further, Patel does not teach or suggest the Gurley permeability values of the porous film (claims 4 and 5) and "wherein the porous film is produced in a method comprising the steps of casting a polymer solution comprising...Sa-Sb..." as claimed in claims 4 and 5.

16. Support for amended claims is found in the specification e.g. at page 4, line 7 (for claims 1 and 5), and at page 12 lines 5-10 (for claims 20-21) as originally filed.

17. Objection to claim 5 is withdrawn in view of applicant's amendment and response (see page 5 of 03/30/10 amendment).

18. All of the previously made 112-first paragraph rejections are withdrawn and/or rendered moot in view of applicant's amendment and response (see pages 5-6 of 03/30/10 amendment).

19. Amendment to abstract submitted on 05/27/10 is reviewed and considered. The amendment does not add any new matter.

20. Claims 4-9, 20, and 21 are directed to an allowable product. Pursuant to the procedures set forth in MPEP § 821.04(B), claims 1-3 are directed to the process of making or using an allowable product, previously withdrawn from consideration as a result of a restriction requirement, are hereby rejoined and fully examined for patentability under 37 CFR 1.104.

21. Because all claims previously withdrawn from consideration under 37 CFR 1.142 have been rejoined, **the restriction requirement as set forth in the Office action mailed on 09/08/06 is hereby withdrawn.** In view of the withdrawal of the restriction requirement as to the rejoined inventions, applicant(s) are advised that if any claim presented in a continuation or divisional application is anticipated by, or includes all the limitations of, a claim that is allowable in the present application, such claim may be subject to provisional statutory and/or nonstatutory double patenting rejections over the claims of the instant application. Once the restriction requirement is withdrawn, the

provisions of 35 U.S.C. 121 are no longer applicable. See *In re Ziegler*, 443 F.2d 1211, 1215, 170 USPQ 129, 131-32 (CCPA 1971). See also MPEP § 804.01.

22. Given that claim 1 includes all the limitations of allowable product claim 4, it is noted that claims 1-3 are allowable over Patel et al. (US 2001/0023014A1) for the same reasons set forth above.

23. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Ikeda Kenichi (JP 2002-208781- Machine translation attached) is directed to a wiring board prepreg and its manufacturing method.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANISH DESAI whose telephone number is (571)272-6467. The examiner can normally be reached on Monday-Friday, 9:00AM-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Callie Shosho can be reached on 571-272-1123. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/A. D./  
Examiner, Art Unit 1787

/Callie E. Shosho/  
Supervisory Patent Examiner, Art Unit 1787